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## Nov. 16. 2004 11:17AM PART B - FEE(S) TRANSMITTAL Mail Stop ISSUE FEE Complete and send this form, together with applicable fee(s), to: Mail Commissioner for Patents P.O. Box 1450 NOV 1 6 2004 Alexandria, Virginia 22313-1450 (703) 746-4000 or <u>Fax</u> INSTRUCTIONS: This form should be used for transmitting the ISSUS PEE and PUBLICATION FEE (if required). Blocks I through 3 should be completed where management all further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as a separate "FEE ADDRESS" for maintenance fees notifications. Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. CURRENT CORRESPONDENCE ADDRESS (Note: Use Blook I for any change of address) 09/01/2004 29855 7590 WONG, CABELLO, LUTSCH, RUTHERFORD & Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below. BRUCCULERI, P.C. 20333 SH 249 Melissa K. Mosby **SUITE 600** HOUSTON, TX 77070 November 16, 2004 APPLICATION NO. PILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/923,567 08/07/2001 Pierre Germain - <del>1537.06061</del> TITLE OF INVENTION: PERFORMANCE AND FLOW ANALYSIS METHOD FOR COMMUNICATION NETWORKS 149-0017U.S APPLN. TYPE SMALL ENTITY ISSUE PEE PUBLICATION FEE TOTAL FEE(\$) DUE DATE DUE NO nonprovisional \$1330 \$300 \$1630 12/01/2004 BXAMINER ART UNIT CLASS-SUBÇLASS HUYNH, BA 345-736000 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list 1 Wong, Cabello, Lutsch, (1) the names of up to 3 registered patent automeya or agents OR, alternatively, Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. Rutherford & Brucculeri, LLP (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patcht attorneys or agents. If no name is listed, no name will be printed. "Pee Address" indication (or "Fee Address" Indication form PTO/SB/47: Rev 03-02 or more recent) attached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLRASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) BMC Software, Inc.

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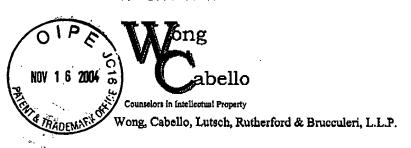
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